

voice/tdd
401.737.1238
fax
401.737.3395

mail
400 Bald Hill Road, Suite 515
Warwick, RI 02886

email
riddc@riddc.org
www.riddc.org




Testimony on H 6122 – Article 1 – Section 15
An Act Making Appropriations for the Support of the State for the Fiscal
Year Ending June 30, 2022 – Rhode Island Promise Scholarship

April 6, 2021

Dear Chairman Abney & Members of the House Committee on Finance:

The Rhode Island Developmental Disabilities Council respectfully requests that, while you are considering the removal of the sunset clause from the enabling legislation for the "Rhode Island Promise Program", you also consider addressing the rights of students with disabilities to request and be granted reasonable accommodations which may be necessary for a student with a disability to access a RI Promise Scholarship and join his or her peers in pursuit of an associate degree following graduation from high school.

Since many students with disabilities may not graduate from high school by age 19 or may exercise their right to continue high school until age 21, as provided for under the federal Individuals with Disabilities Education Act (IDEA), they made need to request a reasonable accommodation to the requirement that a student enroll at CCRI by age 19 to qualify for a RI Promise scholarship.

A student whose disability limits him or her from being able to carry a full-time course load will need to ask for a reasonable accommodation to both the full-time course load requirement and the attainment of an associate degree within the 2 years requirement to qualify for a RI Promise scholarship.

We are aware of multiple students in these situations who were denied such accommodations upon application and while some were able to have others, such as legislators or advocates, intervene on their behalf and work cooperatively with staff at CCRI to arrange the needed accommodations, others may not have continued to pursue the scholarship.

I have enclosed a draft of language that the committee could add to Article 1, Section 15 (highlighted in yellow) which would address the need for reasonable accommodations and make the RI Promise Scholarship accessible to students with disabilities as required by the ADA.

Sincerely,

Robert Marshall
Policy Consultant
401.683.7503
mrshassoc@aol.com

SECTION 15. Sections 16-107-3, 16-107-4 and 16-107-6 of the General Laws in Chapter 16-107 entitled “Rhode Island Promise Scholarship” are hereby amended as follows:

16-107-3. Establishment of scholarship program.

Beginning with the high school graduating class of 2017, it is hereby established the Rhode Island promise scholarship program ~~that will end with the high school graduating class of 2021~~. The general assembly shall annually appropriate the funds necessary to implement the purpose of this chapter. Additional funds beyond the scholarships may be appropriated to support and advance the Rhode Island promise scholarship program. In addition to appropriation by the general assembly, charitable donations may be accepted into the scholarship program.

16-107-4. Definitions.

When used in this chapter, the following terms shall have the following meanings:

- (1) “FAFSA” means the Free Application for Federal Student Aid form;
- (2) “Mandatory fees and tuition” are the costs that every student is required to pay in order to enroll in classes, and does not include room and board, textbooks, program fees that may exist in some majors, course fees that may exist for some specific courses, meal plans, or travel;
- (3) “On track to graduate on time” means the standards determined by the community college of Rhode Island in establishing the expectation of a student to graduate with an associate’s degree within two (2) years of enrollment (recognizing that some students, including students who require developmental education, are double majors, or are enrolled in certain professional programs may require an extended time period for degree completion);
- (4) “Scholarship program” means the Rhode Island promise scholarship program that is established pursuant to § 16-107-3;
- (5) “Recipient student” means a student attending the community college of Rhode Island who qualifies to receive the Rhode Island promise scholarship pursuant to § 16-107-6; ~~and~~
- (6) “State” means the state of Rhode Island ~~and Providence Plantations~~;
- (7) “Student with a disability” means any student otherwise eligible pursuant to § 16-107-6 who has a physical, developmental or hidden disability or disabilities, as defined in § 42-87-1, that would create a hardship or other functional obstacles preventing participation in this program; and
- (8) “ADA” means the American with Disabilities Act as may be amended from time to time;

(9) Reasonable accommodations” means any necessary modifications to this chapter as required by the Americans with Disabilities Act (“ADA”) and section 504 of the Rehabilitation Act of 1973 as may be amended from time to time.

16-107-6. Eligibility for scholarship.

(a) Beginning with the students who enroll at the community college of Rhode Island in the fall of 2017 ~~and ending with students who enroll at the community college of Rhode Island in the fall of 2021~~, to be considered for the scholarship, a student:

(1) Must qualify for in-state tuition and fees pursuant to the residency policy adopted by the council on postsecondary education, as amended, supplemented, restated, or otherwise modified from time to time (“residency policy”); provided, that, the student must have satisfied the high school equivalency diploma condition prior to reaching nineteen (19) years of age; provided, further, that in addition to the option of meeting the requirement by receiving a high school graduation/equivalency diploma as described in the residency policy, the student can satisfy the condition by receiving other certificates or documents of equivalent nature from the state or its municipalities as recognized by applicable regulations promulgated by the council on elementary and secondary education;

(2) Must be admitted to, and must enroll and attend the community college of Rhode Island on a full-time basis by the semester immediately following high school graduation or the semester immediately following receipt of a high school equivalency diploma;

(3) Must complete the FAFSA and any required FAFSA verification by the deadline prescribed by the community college of Rhode Island for each year in which the student seeks to receive funding under the scholarship program;

(4) Must continue to be enrolled on a full-time basis;

(5) Must maintain an average annual cumulative grade point average (GPA) of 2.5 or greater, as determined by the community college of Rhode Island;

(6) Must remain on track to graduate on time as determined by the community college of Rhode Island;

(7) Must not have already received an award under this scholarship program; and

(8) Must commit to live, work, or continue their education in Rhode Island after graduation.

The community college of Rhode Island shall develop a policy that will secure this commitment from recipient students.

(b) Notwithstanding the eligibility requirements under subsection (a) of this section (“specified conditions”):

(i) In the case of a recipient student who has an approved medical or personal leave of absence or is unable to satisfy one or more specified conditions because of the student’s medical or personal circumstances, the student may continue to receive an award under the scholarship program upon resuming the student’s education so long as the student continues to meet all other applicable eligibility requirements; ~~and~~

(ii) In the case of a recipient student who is a member of the national guard or a member of a reserve unit of a branch of the United States military and is unable to satisfy one or more specified conditions because the student is or will be in basic or special military training; or is or will be participating in a deployment of the student’s guard or reserve unit, the student may continue to receive an award under the scholarship program upon completion of the student’s basic or special military training or deployment; ~~and~~

(iii) Any student with a disability, otherwise eligible as of May 15, 2021, shall be entitled to access to this program and shall be afforded all reasonable accommodations, as defined in the ADA and the Rehabilitation Act of 1973, including enrolling on a part-time basis, high school diploma/GED by age 21 (21), and may take longer than two (2) years to graduate with an associate’s degree.